

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**JAIME GOLDTOOTH, as Guardian and
Conservator for the Estate of Cody Goldtooth,
the protected person, and ZURICH
AMERICAN INSURANCE COMPANY,**

Plaintiffs,

vs.

THE WESTERN SUGAR COOPERATIVE,

Defendant and Third-Party Plaintiff,

vs.

DSI MECHANICAL, LLC,

Third-Party Defendants.

8:20CV113

ORDER

This matter comes before the Court on the Motion for Leave to Depose an Incarcerated Person ([Filing No. 240](#)) filed by Defendant/Third-Party Plaintiff, The Western Sugar Cooperative (“WSC”). WSC requests leave to depose Cody Goldtooth, a person presently incarcerated in the La Paz Unit of the Arizona State Prison Complex – Yuma in San Luis, Arizona, pursuant to Rule 30(a)(2)(B) of the Federal Rules of Civil Procedure. Plaintiff initially objected to taking Mr. Goldtooth’s videotaped deposition ([Filing No. 240-2 at p. 3](#)); however, the deadline for filing an opposition to the motion has passed, and counsel for Plaintiff notified the Court by email that Plaintiff no longer opposes the motion. Accordingly,

IT IS ORDERED:

1. The Western Sugar Cooperative’s Motion for Leave to Depose an Incarcerated Person ([Filing No. 240](#)) is granted.
2. Western Sugar Cooperative is given leave to take Cody Goldtooth’s deposition on such date as the parties agree upon, as soon as practicable. The penal institution with custody of Mr. Goldtooth shall permit such deposition to take place.

Dated this 4th day of December, 2024.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge